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Date of Deposit: October 5, 2004

10/06/04
IFW
Attorney Docket No.: 24852-501 CIP3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number : 10/650,025 Confirmation No. 6445
Applicants : Nicholas G. Bacopoulos, *et al.*
Filed : August 26, 2003
TC/A.U. : 1614
Examiner : Spivack, Phyllis G.
Docket No. : 24852-501 CIP3
Customer No. : 35437
For : **METHODS OF TREATING CANCER WITH HDAC
INHIBITORS**

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

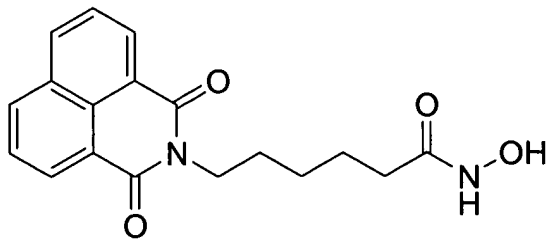
RESPONSE TO ELECTION OF SPECIES REQUIREMENT

In response to an Office Action, mail dated June 7, 2004, Applicants submit the following Response. A petition to extend the due date for responding to the Restriction Requirement up to and including October 7, 2004 and the fee required under 37 C.F.R. § 1.17(a)(3) for a large entity accompanies this response.

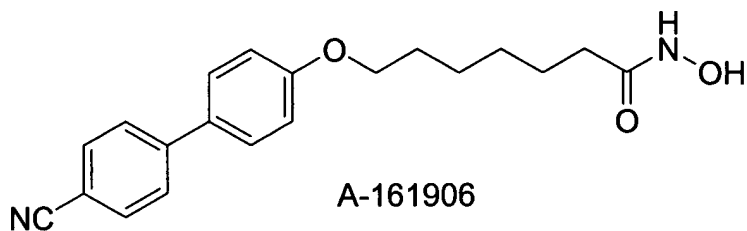
The Office Action dated June 7, 2004, included a requirement under 35 U.S.C. § 121 to elect a single disclosed species of histone deacetylase (HDAC) inhibitor and a listing of all claims readable thereon.

In response, Applicants elect suberoylanilide hydroxamic acid (SAHA) as the species. The claims readable thereon are as follows: claims 1, 2, 8-40 and 46-61. Applicants respectfully traverse the requirement and note that the election of species is made for the purpose of examination of the claims only and that Applicants maintain the right to have the full scope of the claims, as written, examined on the merits.

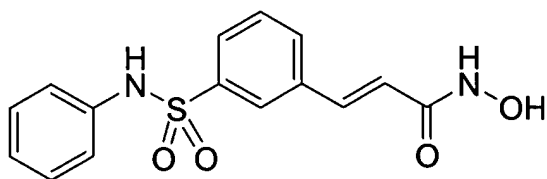
Further in response to the Examiner's request to provide the structures of A-161906, Scriptaid, PXD-101, LAQ-824, CHAP, MW2796 and MW2996 in order to create a subgenus for search purposes, the structures are as follows:



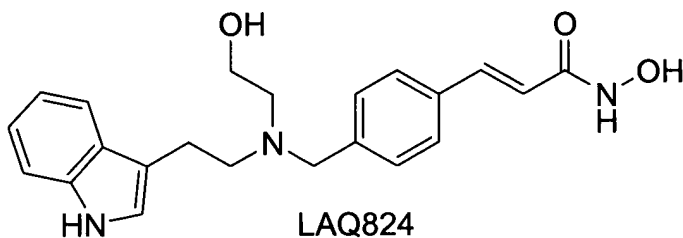
Scriptaid



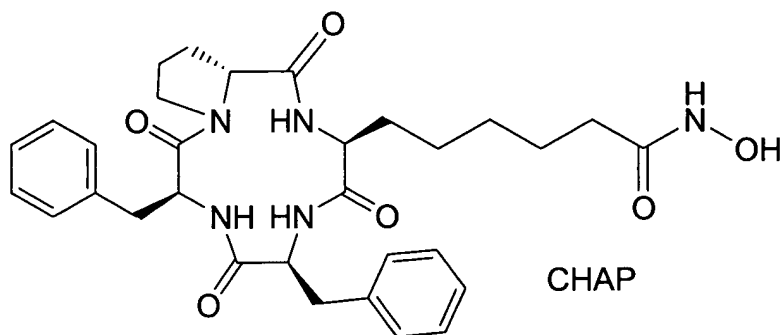
A-161906



PXD-101



LAQ824



CHAP

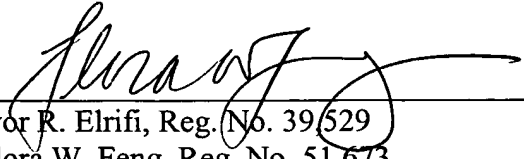
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Favorable action on the merits is respectfully requested. If there are any questions regarding this Response, the Examiner is encouraged to contact the undersigned at the telephone number provided below.

Applicants believe that this Response is timely and no additional fees are due with the filing of this Response. However, if any additional fees are required or if any funds are due, the USPTO is authorized to charge or credit Deposit Account Number: **50-0311**, Customer Number: **35437**, Reference Number: **24852-501 CIP3**.

Date: October 5, 2004



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